

SENATE RECORD VOTE ANALYSIS

106th Congress
2nd Session

Vote No. 108

May 24, 2000, 3:37 p.m.
Page S-4364 Temp. Record

MCDONALD NOMINATION/Member of the Federal Election Commission

SUBJECT: Nomination of Danny Lee McDonald, of Oklahoma, to be a Member of the Federal Election Commission. Confirmation.

ACTION: NOMINATION CONFIRMED, 98-1

SYNOPSIS: Danny Lee McDonald was born August 26, 1946, in Tulsa, Oklahoma. He received a B.A. from Oklahoma State University in 1971. His employment history includes the following: 1972, Chief Clerk, Tulsa County Clerk's Office; 1974-1979, Secretary, Tulsa County Election Board; 1979-1982, General Administrator, Oklahoma Corporation Commission; 1982-present, Democratic Commissioner, Federal Election Commission.

Those favoring confirmation contended:

Argument 1:

Danny McDonald has served on the Federal Election Commission (FEC) exceedingly well over the last 18 years as one of the three Democrat members of the agency responsible for enforcing Federal election laws. Though he believes that there are flaws in the current system of campaign contribution laws and that contribution limitations ought to be increased, he has fully enforced the law and has respected the limits of the FEC's authority. Commissioner McDonald is currently the Vice Chairman of the FEC and has served as Chairman three times. We urge our colleagues to support this Democrat nominee to the FEC who has served ably for 18 years and, more importantly, to support the established system of confirming members to the commission as selected by their respective parties.

Argument 2:

(See other side)

YEAS (98)				NAYS (1)		NOT VOTING (1)	
Republicans (54 or 98%)		Democrats (44 or 100%)		Republicans (1 or 2%)	Democrats (0 or 0%)	Republicans (0)	Democrats (1)
Abraham	Helms	Akaka	Kennedy	McCain			Biden ²
Allard	Hutchinson	Baucus	Kerrey				
Ashcroft	Hutchison	Bayh	Kerry				
Bennett	Inhofe	Bingaman	Kohl				
Bond	Jeffords	Boxer	Landrieu				
Brownback	Kyl	Breaux	Lautenberg				
Bunning	Lott	Bryan	Leahy				
Burns	Lugar	Byrd	Levin				
Campbell	Mack	Cleland	Lieberman				
Chafee	McConnell	Conrad	Lincoln				
Cochran	Murkowski	Daschle	Mikulski				
Collins	Nickles	Dodd	Moynihan				
Coverdell	Roberts	Dorgan	Murray				
Craig	Roth	Durbin	Reed				
Crapo	Santorum	Edwards	Reid				
DeWine	Sessions	Feingold	Robb				
Domenici	Shelby	Feinstein	Rockefeller				
Enzi	Smith, Bob	Graham	Sarbanes				
Fitzgerald	Smith, Gordon	Harkin	Schumer				
Frist	Snowe	Hollings	Torricelli				
Gorton	Specter	Inouye	Wellstone				
Gramm	Stevens	Johnson	Wyden				
Grams	Thomas						
Grassley	Thompson						
Gregg	Thurmond						
Hagel	Voinovich						
Hatch	Warner						

EXPLANATION OF ABSENCE:

1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:

AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

Commissioner McDonald, a Democratic appointee, has been a member of the FEC for 18 years. His track record has been poor; his views and actions have been soundly rejected by the Federal courts in dozens of cases. In fact, two of those cases resulted in the United States Treasury paying fines because the action taken by Commissioner McDonald and the FEC was "not substantially justified in law or fact." Also, we find troubling his pursuit of the chairmanship of the Democratic National Committee while serving on the FEC. That pursuit calls into sharp question both his impartiality and judgement, though we do not believe that it disqualifies him from being reconfirmed.

The FEC is a bipartisan commission designed to have three Democrat members, picked by Democrats, and three Republican members, picked by Republicans. Though we disagree with Commissioner McDonald and have serious questions about some of his actions, we are fully prepared, without hesitation, to respect the wishes of Democrat Senators by confirming him. We will not use his views on campaign finance laws as a litmus test, which is a courtesy that many of our Democratic colleagues failed to extend to our FEC nominee on the previous vote. We urge our colleagues to reconfirm Commissioner McDonald to yet another term on the FEC.

Those opposing confirmation contended:

We believe that Commissioner McDonald's disagreement with current Federal election laws, and the questions raised by our colleagues about Commissioner McDonald's actions while on the FEC, including the multiple Federal court rejections of his opinions in Federal campaign cases and his pursuit of the chairmanship of the Democratic National Committee while on the FEC, disqualify him from continuing to serve on the FEC. Members of the commission should be individuals who display good judgement in their rulings and actions. Commissioner McDonald has not, and should therefore be rejected.